

Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 ISO-00 AGR-20 CEA-02 CIAE-00 COME-00

DODE-00 FRB-03 H-03 INR-11 INT-08 L-03 LAB-06 NSAE-00

NSC-07 PA-04 RSC-01 AID-20 CIEP-03 SS-20 STR-08

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P 102117Z SEP 74

FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC PRIORITY 4446

C O N F I D E N T I A L OTTAWA 2906

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TAGS ETRD CA

SUBJ PROPOSED REGULATIONS REGARDING APPELLATION HHF ORIGIN

REFS (A) OTTAWA 2473 AUG 3

(B) OTTAWA A-399, AUG 7

(C) MELLOR/WINSTANLEY TELECONS OF SEPT 3 AND SEPT 6

1. EMBASSY'S COMMERCIAL COUNSELOR HAS OBTAINED FROM HIS AUSTRALIAN COUNTERPART, ON CONFIDENTIAL BASIS, TEXT OF FOLLOWING LETTER OF SEPTEMBER 6 TO DEPARTMENT OF CONSUMER AND CORPORATE AFFAIRS FROM AUSTRALIAN HIGH COMMISSION REGARDING SUBJECT MATTER:

BEGIN VERBATIM TEXT:

MR. J.B. SEABORN,
ACTING DEPUTY MINISTER,
DEPARTMENT OF CONSUMER AND CORPORATE AFFAIRS,
PLACE DU PORTAGE,
HULL, P.Q.

DEAR MR. SEABORN:

I REFER TO THE DRAFT REGULATIONS CONCERNING
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THE USE OF INDICATIONS OF GEOGRAPHIC ORIGIN

ISSUED BY YOUR DEPARTMENT OF 24TH JULY 1974.

SINCE CANADA REPRESENTS THE MOST IMPORTANT EXPORT OUTLET FOR AUSTRALIAN WINES, THE PROPOSED REGULATIONS ARE OF CONSIDERABLE CONCERN TO THE AUSTRALIAN GOVERNMENT AND AUSTRALIAN WINE EXPORTERS. FROM THE CONSIDERATION THAT AUSTRALIA HAS BEEN ABLE TO GIVE TO DATE TO THE PROPOSALS, IT APPEARS THAT THE MAIN PROBLEM AREA WILL BE TABLE WINES, PARTICULARLY BURGUNDY AND SAUTERNE, WHICH FORM A VERY SIGNIFICANT PROPORTION OF OUR TRADE WITH CANADA.

WE BELIEVE THAT THESE AND OTHER WINE NAMES HAVE BECOME GENERALLY ACCEPTED AS DESCRIPTIONS OF WINE TYPES AND CHARACTERISTICS AS DISTINCT FROM THE ORIGINAL PRODUCTION REGIONS. LABELS ON AUSTRALIAN WINES, MOREOVER, ARE CLEARLY MARKED WITH THE WORDS "PRODUCE OF AUSTRALIA" OR WITH SOME EQUIVALENT TERMINOLOGY.

THE AUSTRALIAN GOVERNMENT HOPES THAT THE CANADIAN GOVERNMENT WILL SEE ITS WAY CLEAR NOT TO PROCEED WITH THE IMPLEMENTATION OF THESE REGULATIONS, AT LEAST IN THEIR CURRENT FORM. AS THE PROPOSED REGULATIONS DID NOT COME TO OUR NOTICE UNTIL 14TH AUGUST, THERE HAS BEEN VERY LITTLE TIME AVAILABLE TO EITHER OFFICIALS OR THE INDUSTRY TO FULLY EVALUATE THEIR IMPLICATIONS FOR AUSTRALIA'S TRADE. IN THE CIRCUMSTANCES, THEREFORE, I HAVE BEEN ASKED TO SEEK YOUR AGREEMENT TO AN EXTENSION OF TWO MONTHS OF THE PERIOD IN WHICH YOUR DEPARTMENT IS PREPARED TO ACCEPT SUBMISSIONS, I.E. TO 27TH NOVEMBER. YOUR EARLY REPLY WOULD BE APPRECIATED. I AM SENDING COPIES OF THIS LETTER TO APPROPRIATE OFFICIALS IN THE DEPARTMENTS OF FINANCE, INDUSTRY, TRADE AND COMMERCE, AGRICULTURE AND EXTERNAL AFFAIRS. YOUR SINCERELY,
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(J.V. QUINN),
COMMERCIAL COUNSELLOR.
END VERBATIM TEXT.

2. AS FAR AS EMBASSY AWARE, SOUTH AFRICANS (SA) IN ADDITION TO OURSELVES AND AUSTRALIANS, ARE ONLY OTHER MISSION IN OTTAWA ACTIVELY CONCERNED ABOUT SUBJECT. PRINCIPAL SA INTEREST, ACCORDING TO SA HIGH COMMISSION,

FOCUSES ON PORT AND SHERRY, WHICH TERMS, HOWEVER, CAN CONTINUE TO BE USED PURSUANT TO SCHEDULE IV OF PROPOSED REGULATIONS IF APPROPRIATELY QUALIFIED, E.G., SOUTH AFRICAN PORT OR SHERRY. ALSO, ACCORDING TO SA HIGH COMMISSVYHOV IT HAS RECOMMENDED THAT PREGRIA TAKE A GOOD HARD LOOK AT PROPOSED REGULATIONS TO ASCERTAIN WHETHER SA GOVERNMENT WISHES TO SEIZE PRESENT OPPORTUNITY TO SEEK PROTECTION IN CANADA FOR A NUMBER OF SA PLACE NAMES FOR WINE.

3. AS INDICATED REF C, EMBASSY BELIEVES GOC AUTHORITIES WOULD BE RECEPTIVE TO REQUEST FOR EXTENSION OF PERIOD (BEYOND SEPTEMBER 27) WITHIN WHICH TO MAKE SUBMISSIONS TO DEPARTMENT OF CONSUMER AND CORPORATE AFFAIRS IF EXTENSION NEEDED BY WASHINGTON AND/OR U.S. TRADE. AUSTRALIAN REQUEST (ABOVE) FOR TWO-MONTH EXTENSION PRESUMABLY WOULD FORTIFY OUR REQUEST AND VICE VERSA.

4. WHILE AWAITING DEPARTMENT'S INSTRUCTIONS, WHICH WE UNDERSTAND FROM REF C SHOULD ARRIVE OTTAWA VERY SOON, WE (COMMERCIAL COUNSELOR) PLAN TO ACCOMPANY WINE INSTITUTE'S GENERAL COUNSEL JEYKDZ# JYJCNDU#

SEPTEMBER 12 APPOINTMENT WITH ASSISTANT DEPUTY MINISTER C.M. BOLGER AT CONSUMER AND CORPORATE AFFAIRS. WE UNDERSTAND PEYSER WILL DELIVER WRITTEN AND ORAL BRIEF, BASED IN PART ON GENERIC CHARACTER WHICH MANY OF SCHEDULE III (SEE PROPOSED REGULATIONS, REF B) APPELATIONS OF ORIGIN HAVE ACQUIRED OVER THE DECADES. JOHNSON

NOTE BY OC/T: # AS RECEIVED.CONFIDENTIAL
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